

U.S. ENVIRONMENTAL PROTECTION AGENCY  
POLLUTION/SITUATION REPORT  
Niagara Falls Boulevard Radiological Site - Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region II

**Subject:** POLREP #15  
Niagara Falls Boulevard Site Removal Action  
Niagara Falls Boulevard Radiological Site  
A23Q  
Niagara Falls, NY  
Latitude: 43.0965960 Longitude: -78.9520670

**To:** James Doyle, USEPA Region 02  
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**From:** Eric Daly, On-Scene Coordinator

**Date:** 7/15/2017

**Reporting Period:** 06/09/2017 through 07/15/2017

## 1. Introduction

### 1.1 Background

<b>Site Number:</b>	A23Q	<b>Contract Number:</b>	
<b>D.O. Number:</b>		<b>Action Memo Date:</b>	9/27/2016
<b>Response Authority:</b>	CERCLA	<b>Response Type:</b>	Time-Critical
<b>Response Lead:</b>	EPA	<b>Incident Category:</b>	Removal Action
<b>NPL Status:</b>	Non NPL	<b>Operable Unit:</b>	
<b>Mobilization Date:</b>	6/1/2016	<b>Start Date:</b>	6/1/2016
<b>Demob Date:</b>		<b>Completion Date:</b>	
<b>CERCLIS ID:</b>	NYN000206699	<b>RCRIS ID:</b>	
<b>ERNS No.:</b>		<b>State Notification:</b>	
<b>FPN#:</b>		<b>Reimbursable Account #:</b>	

#### 1.1.1 Incident Category

Removal Assessment and Removal Action

#### 1.1.2 Site Description

The 9540 Niagara Falls Boulevard site (CERCLIS ID NYN000206699), hereinafter referred to as "the NFB site" or "the site", is located in a mixed commercial and residential area of Niagara Falls, New York. The site consists of two parcels, namely 9524 and 9540 Niagara Falls Boulevard. This site encompasses approximately 2.53 acres. Currently, the 9524 Niagara Falls Boulevard property contains a bowling alley and an asphalt parking lot; the 9540 Niagara Falls Boulevard property contains a vacant building and an asphalt parking lot. The properties are bordered to the north by a wooded area; to the east by a church; to the south by Niagara Falls Boulevard, beyond which is a residential area; and to the west by a hotel and residential area.

In 1978, the U.S. Department of Energy conducted an aerial radiological survey of the Niagara Falls region and found more than 15 properties having elevated levels of radiation above background levels. It is believed that, in the early 1960s, slag from the Union Carbide facility located on 47th Street in Niagara Falls was used as fill on the properties prior to paving. The Union Carbide facility processed ore containing naturally-occurring high levels of uranium and thorium to extract niobium. The slag contained sufficient quantities of uranium and thorium to be classified as a licensable radioactive source material. Union Carbide subsequently obtained a license from the Atomic Energy Commission, now the Nuclear Regulatory Commission, and the State of New York; however, the slag had been used as fill throughout the Niagara Falls region prior to licensing. Based on the original survey and subsequent investigations, it is believed that the radioactive Union Carbide slag was deposited on the NFB site.

##### 1.1.2.1 Location

9524-9540 Niagara Falls Boulevard, Niagara Falls, NY

##### 1.1.2.2 Description of Threat

Radioactive contamination

##### 1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

In September/October 2006 and May 2007, NYSDEC conducted radiological surveys of the interior and exterior of both properties on several occasions using both an Exploranium-135 and Ludlum 2221 detectors. With the exception of an office area and storage space at 9540 Niagara Falls Boulevard that was constructed after the original building directly on top of the asphalt parking lot, interior radiation levels were relatively low. The highest reading in the newer area was 115  $\mu$ R/hr; elsewhere throughout the building, radiation levels generally ranged between 10 and 20  $\mu$ R/hr. Exterior readings taken at waist height generally ranged between 10 and 350  $\mu$ R/hr, while the maximum reading of 600  $\mu$ R/hr was recorded on contact (i.e., at the ground surface). At a fenced area behind the building located at 9540 Niagara Falls Boulevard, waist-high readings ranged between 200 and 450  $\mu$ R/hr, and on-contact readings ranged between 450 and 750

µR/hr. Elevated readings were also observed on the swath of grass between the 9524 Niagara Falls Boulevard property and the adjacent property to the west that contains a hotel, and in the marshy area beyond the parking lot behind the buildings. Two biased samples of slag were collected from locations that exhibited elevated static Ludlum detector readings: one sample was collected from an area of loose blacktop that indicated readings of 515,905 cpm on the Ludlum detector, and one slag sample was collected in the marshy area that indicated readings of 728,235 cpm on the Ludlum detector.

During a reconnaissance performed by the NYSDOH and NYSDEC on July 9, 2013, screening activities showed radiation levels at 200 µR/hr with a hand-held PIC unit around an area of broken asphalt and 500 µR/hr from a soil pile containing slag at the NFB site. Readings over 600,000 cpm were recorded with a sodium iodide 2x2 scintillation detector from the soil and slag pile.

The Niagara Falls Boulevard Site (Site) was referred to the EPA by the NYSDEC and NYSDOH on July 21, 2013. No other removal actions have been taken by other government or private parties prior to this request.

On September 10, 2013, WESTON conducted a gamma radiation screening of the 9524 Niagara Falls Boulevard property using a Ludlum 2221 Scaler Ratemeter. On December 4–5, 2013, further radiological survey information was obtained from the 9524 and 9540 Niagara Falls Boulevard properties, as well as the church property located further east of the two site parcels. The highest gamma radiation screening results were recorded from the exposed soil area in the rear, northern portion of the 9540 Niagara Falls Boulevard property.

On December 5–7, 2013, WESTON documented the areas of observed contamination at the NFB site. The areas of observed contamination were delineated by measuring the gamma radiation exposure rates, and determining where the gamma radiation exposure rate around the source equals or exceeds two times the gamma radiation at site-specific background rates. The areas of observed contamination are defined by site-attributable gamma radiation exposure rates, as measured by a survey instrument held 1 meter above the ground surface, which equal or exceed two times the site-specific background gamma radiation exposure rate. At the NFB site, an area of approximately 168,832 ft<sup>2</sup> was found to have gamma radiation levels which exceed two times the background measurement of 8,391 cpm. PIC data were also collected at several points to confirm the boundary.

On December 11, 2013, WESTON collected a total of 16 soil samples (including one environmental duplicate sample) and three slag samples from fifteen boreholes advanced throughout the NFB site and the First Assembly Church property located directly adjacent to the east/northeast of the site property, using hollow-stem auger drilling methods. The two soil samples collected on the First Assembly Church property are to document background conditions. At each sample location, soil samples were collected directly beneath slag; at locations where slag was not present, the soil sample was collected at the equivalent depth interval.

The soil samples were analyzed for metals by inductively coupled plasma (ICP) technique and mercury by manual cold vapor technique in accordance with SW-846 Method 6010C and 7471B, respectively. In addition, soil and slag samples were analyzed for isotopic thorium and isotopic uranium by alpha spectrometry according to DOE method A-01-R, and radium-226 and radium-228 by gamma spectrometry according to DOE Method GA-01-R. Analytical results indicate concentrations of radionuclides found in the slag and soil to be significantly higher than at background conditions (i.e., greater than 2x background concentrations).

On April 28, 2014, EPA Contractor personnel collected radon and thoron concentration measurements from locations on and in the vicinity of the NFB site. At the selected locations in background areas, above the source material, and off the source area, radon and thoron concentration measurements in pCi/L were collected with RAD7 radon detectors. The radon and thoron measurements were collected at heights of one meter above the ground surface. The measurements included uncertainty values, which were taken into account to calculate adjusted concentrations for evaluation of observed release in the air migration pathway. There were no radon or thoron concentrations that exceeded the site-specific background, nor were there any adjusted concentrations that equaled or exceeded a value two standard deviations above the mean site-specific background concentration for that radionuclide in that type of sample (i.e., there is no evidence of an observed release to air from site sources).

Based on the Pre-Remedial Evaluation, the site did not meet the minimum criteria necessary to be placed on EPA's "National Priorities List", a list of hazardous waste sites in the U.S. which are eligible for long-term cleanup financed under the federal Superfund program. However, it was subsequently determined that material contaminated with radiation was located beneath the asphalt parking lot shared by the bowling alley and a building supply center. EPA determined that the Agency would further assess the site to determine if an action under EPA's short term, or "removal" program was warranted.

## **2. Current Activities**

### **2.1 Operations Section**

#### **2.1.1 Narrative**

##### **Niagara Falls Boulevard Site-OSC Daly/OSC Pellegrino**

**From June 9, 2017 through July 15, 2017 the following tasks/events occurred:**

Completion of GNBC Office Area reconstruction punch list.

Select slag/soil samples were sent to a certified laboratory based on HPGe field analysis data.

Rainwater was removed from a non-contaminated pit of Area 5. The gamma scan of this area was completed and post excavation samples were collected and analyzed.

The remainder of Area 5 was backfilled with clean material.

Transport and disposal of the remaining staged material from Area 5.

Public Affairs Officer, Mike Basile, visited the site

#### **2.1.2 Response Actions to Date**

To date, approximately 107 tons of material has been removed from the GNBC Front Office Area and approximately 4,442.07 tons of material (which includes the low concentration/background material) has been excavated from Area 5.

Approximately, 762 tons of material from Area 5 was shipped off site to US Ecology in Michigan during this time range which completes the disposal of all the excavated staged material. In total, approximately 4,574 tons of material has been shipped to US Ecology in Michigan.

### 2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

PRPs are being investigated by USEPA Enforcement Team

### 2.1.4 Manifest Data

Manifest Data available in the [Documents Section](#) (requires login).

[Click here to view Manifest Data Table.](#)

## 2.2 Planning Section

### 2.2.1 Anticipated Activities

EPA activities at the Niagara Falls Boulevard site have been suspended for the time being due to the uncertainty with the current budget situation. Funding to complete all of the work, rather than incremental funding, is preferred in order to avoid shutdown and start-up costs, security costs and other maintenance costs that would accrue in between periods of work. Thus, de-mobilization of the site will commence on July 31, 2017 with an expected end date of August 11, 2017. EPA anticipates returning to the NFB Site for removal work in Spring 2018 at the earliest.

USEPA has been coordinating with NYS, Niagara County, and local representatives throughout the assessment/removal process.

#### 2.2.1.1 Planned Response Activities

There are no planned response activities at this time.

#### 2.2.1.2 Next Steps

Transport and disposal of the remaining sample jar materials. Demobilize trailers and equipment from site.

#### 2.2.2 Issues

Lack of Funding

## 2.3 Logistics Section

No information available at this time.

## 2.4 Finance Section

### 2.4.1 Narrative

On May 13, 2016, ERRD Director authorized verbal funding in the amount of \$500,000.00 in mitigation funding and \$100,000.00 in RST contractor funding for a total project ceiling of \$600,000.00 to initiate an emergency Comprehensive Environmental Response Compensation and Liability Act (CERCLA) removal action at the Niagara Falls Boulevard Site.

On July 14, 2016, the ERRD Deputy Director verbally authorized \$500,000 in mitigation funding for a total project ceiling of \$1,100,000.00 to continue the CERCLA removal action at the Niagara Falls Boulevard Site.

On September 28, 2016, the Niagara Falls Boulevard Site Action Memo was signed by USEPA Headquarters.

On September 29, 2016, an additional \$950,000.00 was authorized in mitigation funding to Task Order 23 with Guardian Environmental Solutions..

On October 22, 2016, OSC Daly transferred \$200,000.00 from extramural cost (Original Total \$707,000.00) to the RST2 costs. The new total budgeted ceiling for RST2 is \$518,000.00. Remaining extramural cost is \$507,000.00.

On January 09, 2017, \$435,000.00 was authorized in mitigation funding to bring the total mitigation ceiling to \$2,385,000.00.

On May 03, 2017, \$215,000.00 was authorized in mitigation funding to bring the total mitigation ceiling to \$2,600,000.00

On June 29, 2017, an additional \$50,000.00 was requested in mitigation funding to Task Order 23 with Guardian Environmental Solutions. The new Task Order ceiling will be \$2,650,000 once authorized.

On July 15, 2017, OSC Daly transferred \$100,000.00 from extramural cost (Original Total \$707,000.00) to the RST2 costs. The new total budgeted ceiling for RST2 is \$618,000.00. Remaining extramural cost is \$407,000.00.

### Estimated Costs \*

	Budgeted	Total To Date	Remaining	% Remaining
<b>Extramural Costs</b>				
ERRS - Cleanup Contractor	\$2,600,000.00	\$2,557,001.84	\$42,998.16	1.65%
TAT/START	\$618,000.00	\$510,083.60	\$107,916.40	17.46%

Intramural Costs				
<b>Total Site Costs</b>	\$3,218,000.00	\$3,067,085.44	\$150,914.56	4.69%

\* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

## 2.5 Other Command Staff

### 2.5.1 Safety Officer

GES Health and Safety Officer worked with HP Lyndsey Nguyen and OSC Daly to improve existing HASP and site activities.

### 2.5.2 Liaison Officer

### 2.5.3 Information Officer

Mike Basile is the lead USEPA Public Affairs Official. Mr. Basile distributed the NFB Site Fact sheet to local officials, neighboring businesses, schools and communities on May 31, 2016 and June 1, 2016.

## 3. Participating Entities

### 3.1 Unified Command

### 3.2 Cooperating Agencies

NYS DEC

NYS DOH

Niagara County DOH

## 4. Personnel On Site

OSC Daly

OSC Lisichenko

EPA ERT Health Physicist Lyndsey Nguyen

Weston: One Lead and One Technician

Guardian: RM, Two Operators, FCA

## 5. Definition of Terms

No information available at this time.

## 6. Additional sources of information

No information available at this time.

## 7. Situational Reference Materials

No information available at this time.